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11
12 **UNITED STATES BANKRUPTCY COURT**
13
14 **NORTHERN DISTRICT OF CALIFORNIA**
15
16 **SAN JOSE DIVISION**

17 In re:

Case No.: 23-50629 SLJ
Chapter 11

18 LILLY HUE VU,

**DECLARATION OF NANCY WENG
IN SUPPORT OF EX-PARTE
APPLICATION TO EMPLOY
GENERAL BANKRUPTCY COUNSEL**

19 Debtor / debtor-in-possession.

Chief Judge: Hon. Stephen L. Johnson

20 I, Nancy Weng, hereby declare as follows:

- 21 1. I am a partner at the law firm of Farsad Law Office, P.C., proposed counsel for
22 LILLY HUE VU, the Debtor in the instant case.
- 23 2. I submit this declaration pursuant to 11 U.S.C. §327 and Rule 2014(a) in support
24 of the concurrently filed Application to Employ General Bankruptcy Counsel.
- 25 3. I have fifteen years of bankruptcy experience and have confirmed over 60 Chapter
26 11 cases.
- 27 4. The Debtor now wishes to employ the Farsad Law Office, P.C. as his Chapter 11
28 counsel to the estate in the instant case.
5. There will be no double billing even if both Arasto Farsad and I work
simultaneously on the case.

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TO EMPLOY GENERAL
BANKRUPTCY COUNSEL

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1 6. The Firm also does not bill for paralegal or secretarial time or for the physical act
2 of scanning or filing documents.

3 7. I have no previous connections to the Debtor.

4 8. The Debtor does not currently owe any money to me (of the Firm) for any
5 previous cases or for any other services for that matter.

6 9. The Debtor's only obligation for prospectively owed fees and costs for the instant
7 Chapter 11 will occur if and when the Court approves employment of the Firm. I intend to apply
8 for fees if, and only if, this Court approves employment in this matter and also after a noticed
9 motion for compensation is heard and granted.

10 10. It is necessary for the Debtor to employ counsel to provide at least the following
11 services:

- 12 a. Assist the Debtor in performing duties as a Debtor-in-possession;
- 13 b. Negotiate with the Debtor's creditors;
- 14 c. Prepare a Plan and Disclosure Statement and hopefully obtain confirmation of the
15 proposed Chapter 11 Plan;
- 16 d. Solicit ballots in favor of the proposed Chapter 11 Plan of Reorganization; and
- 17 e. Represent the Debtor in any contested matters or adversary proceedings.

18 11. Attached as **Exhibit A** to the Application is a true and correct copy of the Firm's
19 Engagement Letter.

20 12. I am a disinterested person within the meaning of 11 U.S.C. §101(14) in that:
21 a. I am not a creditor or insider of the Debtor or his estate;
22 b. I am not and was not a partner or employee of the Debtor within two years before
23 the date of this Application;
24 c. I do not have an interest materially adverse to the interest of the estate or of any
25 class of creditors or equity holders, office of the United States Trustee, or any employee
26 thereof;
27 d. I do not have any connection with the Debtor, creditors, any other party in
28 interest, or their respective attorneys and accountants, the United States Trustee, any person
employed in the office of the United States Trustee, or any insider of the Debtor;
 e. I do not employ any person who is related to a judge of this court or the United
States Trustee for this Region; and
 f. I have no connection with the Debtor, any creditor(s) in this matter, or any party-
in-interest, their respective attorneys, accountants, or the U.S. Trustee, or any employee of
the U.S. Trustee.

13. Furthermore, there are no arrangements between the Farsad Law Office, P.C. (and

1 its attorneys) and any other person or persons for the sharing of fees for this case.

2 14. As the entire Firm will be working on this case together, I believe that the Firm
3 can adequately represent the Debtor in navigating through the instant Chapter 11 case to obtain
4 Chapter 11 Plan confirmation.

5 15. I will ensure that the Debtor is aware of all of the requirements of being Debtor-
6 in-possession. The Debtor is aware of the fact that our office is being retained as counsel for the
7 estate, and not merely as counsel for the Debtor / debtor-in-possession.

8 I declare under penalty of perjury that the foregoing is true and correct.

9
10 Executed June 17, 2023, in San Jose, California.

11 Respectfully submitted,

12 FARSAD LAW OFFICE, P.C.

13 /s/ Nancy Weng

14 Nancy Weng, Esq.

15 Attorneys for Debtor (proposed)